

STEVEN E. ANDERSON
Claimant

S.E. ANDERSON

AND

COMMERCIAL UNION INSURANCE

Docket No. 211,265

The claimant, a self-employed civil engineer, maintains offices in Whitewater, Kansas. On the date of accident, at the conclusion of his regular work hours, he drove to Wichita, Kansas, to purchase refills for his Daytimer appointment book. After making the purchase at an office supply store, he returned to his home. On the way home he was involved in an automobile accident resulting in substantial injuries to his lower extremities.

The claimant testified the sole purpose of the trip was to pick up the inserts for the Daytimer appointment book. This appointment book was used almost exclusively for claimant's work activities.

The briefs of claimant and respondent set out in great detail the law in Kansas applicable to the "going and coming" rule as it applies to injuries arising out of and in the course of employment. Those cases need not be recited herein. It is sufficient to say that the Appeals Board finds the operation of the motor vehicle, under these circumstances, can be seen as an integral part of claimant's self-employment and that claimant was furthering his business interests during this trip.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that, for preliminary hearing purposes, the Order of Administrative Law Judge Nelsonna Potts Barnes dated May 16, 1996, is affirmed and remains in full force and effect.

IT IS SO ORDERED.

Dated this ____ day of July 1996.

BOARD MEMBER

c: Norman G. Manley, El Dorado, KS
Kendall R. Cunningham, Wichita, KS
Nelsonna Potts Barnes, Administrative Law Judge
Philip S. Harness, Director